

ABSTRACT

Public Servants - Revenue Department – Allegation of corruption against Sri Thoti Subramanyam, Village Revenue Officer, Ellamandyam Cluster-II (Kothapalem Revenue Village), Office of the Tahsildar, Renigunta Mandal, Chittoor District – Trapped by the Anti-Corruption Bureau Officials on 25-08-2009 – Sanction of Prosecution - Orders – Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 487

Dated:05-06-2010.

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ORDER:

Whereas, Sri Thoti Subramanyam, Son of Sri Thoti Samaiah, worked as Village Revenue Officer, Ellamandyam Cluster-II (Kothapalem Revenue Village), Office of the Tahsildar, Renigunta Mandal, Chittoor District from 19-04-2008 to 25-08-2009 and as such, he is a public servant within the meaning of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, Sri Pujari Sanjeevi Reddy, S/o. Sri Venkata Muni, Complainant, is a resident of Kothapalem Village, Renigunta Mandal, Chittoor District;

3. And whereas, it is alleged that on 24-08-2009 at 13:00 hours, Sri Pujari Sanjeevi Reddy came to the Office of the Deputy Superintendent of Police, Anti-Corruption Bureau, Tirupati and gave report in which he stated that he is doing cultivation. His grand-father Sri Konda Reddy purchased Ac.0.76 cents land in Sy.No.191/1 from Sri Pasala Nagi Reddy and his brothers during the year 2008 and got it registered vide Doc.No.906/2008 in the Sub-Registrar Office, Renigunta. Sri Pujari Sanjeevi Reddy's mother Smt.P.Mumemma acquired Ac.0.31 cents land in Sy.No.121/15-B as gift from her parents during the year 2005 through registered document No.1182/2005 of the Sub-Registrar Office, Renigunta. As Sri Pujari Sanjeevi Reddy decided to start a small scale industry, he approached bank authorities for loan. The Bank authorities advised Sri Pujari Sanjeevi Reddy to keep Pattadar Pass Book as security for giving loan to him. As such, Sri Pujari Sanjeevi Reddy gave an application (6-A form) in Tahildar's Office, Renigunta on 12-01-2009 with a request to issue Pattadar Pass Books in favour of his mother

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Smt.P.Munemma and his grand father Sri P.Kondaiah enclosing the registered documents. The Tahsildar, Renigunta put his initials on the applications and endorsed the same to Sri Thoti Subramanyam asking him to conduct enquiry and to give his enquiry report. In the month of January, 2009 Sri Pujari Sanjeevi Reddy met Sri Thoti Subramanyam and requested him to get issued Pattadar Pass Books as early as possible. Then, Sri Thoti Subramanyam demanded him to pay Rs.2,000/- as bribe to prepare the report and to submit it to the Tahsildar through Revenue Inspector. Sri Puraji Sanjeevi Reddy told Sri Thoti Subramanyam that he is not in a position to pay bribe and came back. Thereafter, Sri Pujari Sanjeevi Reddy met Sri Thoti Subramanyam several times, but Sri Thoti Subramanyam postponed the matter to different dates. In the month of July, Sri Thoti Subramanyam prepared a statement mentioning that the above mentioned lands belongs to Sri Konda Reddy and Smt.P.Munemma and asked Sri Pujari Sanjeevi Reddy to get the statement signed by his villagers. Accordingly, Sri Pujari Sanjeevi Reddy got the signatures of some of his villagers in that statement and returned it to Sri Thoti Subramanyam. Then Sri Thoti Subramanyam told him that he would not complete his work without payment of bribe amount of Rs.2,000/-. On 24-07-2009, Sri Pujari Sanjeevi Reddy submitted an application to the Tahsildar, Renigunta with a request to give information in this matter under Right to Information Act. The same was also endorsed to Sri Thoti Subramanyam by the Tahsildar, Renigunta but, Sri Thoti Subramanyam did not respond on this application also. Finally, on 24-08-2009 Sri Pujari Sanjeevi Reddy met Sri Thoti Subramanyam in his room at Renigunta and asked about his Pattadar Pass Books. Then Sri Thoti Subramanyam clearly stated that he would do the work, if he pays the demanded bribe amount of Rs.2,000/- otherwise he would not do the work and asked him to give the bribe amount of Rs.2,000/- on 25-08-2009. Sri Pujari Sanjeevi Reddy is not willing to pay bribe amount to Sri Thoti Subramanyam and requested to take necessary action;

4. And whereas, basing on the report given by Sri Pujari Sanjeevi Reddy, a case in Cr.No.12/RCT-TCT/2009 under section 7 of the Prevention of Corruption Act, 1988 was registered in the Office of the Anti-Corruption Bureau, Tirupati Range, Tirupati on 25-08-2009 at 06:45 hours by the Deputy Superintendent of Police, Anti-Corruption Bureau, Tirupati and conducted pre-trap proceedings at the Office of the Deputy Superintendent of Police, Anti-Corruption Bureau, Tirupati from 07:30 hours to 09:30 hours in the presence of two mediators. The other Inspectors, staff and Sri Pujari Sanjeevi Reddy also present during that time. All the required formalities to be observed were complied with;

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5. And whereas, on 25-08-2009 at 09:30 hours at the Office of the Anti-Corruption Bureau, Tirupati, the trap team consisting a Deputy Superintendent of Police, three Inspectors, two mediators and Anti-Corruption Bureau staff along with Sri Pujari Sanjeevi Reddy left the Office of the Anti-Corruption Bureau, Tirupati and reached all the trap team members along with Sri Pujari Sanjeevi Reddy at the four road junction point at the Sub-Registrar's Office, Renigunta at 10:20 hours. The Deputy Superintendent of Police allowed Sri Pujari Sanjeevi Reddy to go to the room of Sri Thoti Subramanyam, to comply with the demand of bribe amount only on his further demand but not otherwise and reminded him about the pre-arranged signal to be given to Police Constable-3006 in case of Sri Thoti Subramanyam demands and accepts bribe amount from him. Sri Pujari Sanjeevi Reddy went inside of the room of Sri Thoti Subramanyam and Police Constable-3006 followed Sri Pujari Sanjeevi Reddy. Sri Pujari Sanjeevi Reddy went into the room of Sri Thoti Subramanyam and found Sri Thoti Subramanyam sitting on the mat in the room and attending to some written work. Along with Sri Thoti Subramanyam, one another person was found sitting in a chair in the room. Sri Pujari Sanjeevi Reddy asked Sri Thoti Subramanyam about the Pattadar Pass Books. On that Sri Thoti Subramanyam asked him whether he had brought the demanded bribe amount of Rs.2,000/-. On his positive reply, Sri Thoti Subramanyam asked him to give the bribe amount. Sri Pujari Sanjeevi Reddy took out the tainted amount from his shirt posted and gave it to Sri Thoti Subramanyam. Sri Thoti Subramanyam without receiving the amount with his hand directed Sri Pujari Sanjeevi Reddy to keep the amount in his diary pointing out a diary available in the wall shelf of the room. As per the directions of Sri Thoti Subramanyam, Sri Pujari Sanjeevi Reddy kept the amount in the wheat coloured diary. Sri Thoti Subramanyam assured him to complete his work early. Sri Pujari Sanjeevi Reddy came out of the room and gave signed to Police Constable by wiping his face with his hand- kerchief. At 10:30 hours, Police Constable gave signal by lifting up both his hands after receiving signed from Sri Pujari Sanjeevi Reddy. Then the Deputy Superintendent of Police, along with the mediators and other team members rushed into the room of Sri Thoti Subramanyam. The Deputy Superintendent of Police got prepared sodium carbonate solutions in two cleaned glass tumblers and they were colourless. At the instance of the Deputy Superintendent of Police, Sri Thoti Subramanyam rinsed his both hand fingers separately in the prepared colourless solutions and on doing so, the solutions in respect of both the hands remained unchanged. Sri Thoti Subramanyam took out one diary from the upper wall shelf in the southern side wall of the room adjacent to his sitting place, opened the diary and showed a wad of currency notes and stated that it was the

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amount kept by Sri Pujari Sanjeevi Reddy on his directions. At the instance of the Deputy Superintendent of Police, the mediator counted the currency notes and compared the numbers and found tallied with that of the numbers of the currency notes noted in the Mediator's Report-I. The Deputy Superintendent of Police seized that amount of Rs.2,000/-. Then, the Deputy Superintendent of Police got rubbed the last page of diary 2009 of Sri Thoti Subramanyam on both sides with a cotton swab from where the tainted amount was recovered and dipped that cotton swab in the prepared sodium carbonate solution in a glass tumbler and on doing so, the colour of the solution turned to pink in colour. The Deputy Superintendent of Police also seized the diary of 2009 belonging to Sri Thoti Subramanyam and pending official favour documents from Sri Thoti Subramanyam;

6. And whereas, the aforesaid acts of the said Sri Thoti Subramanyam, Village Revenue Officer, Ellamandyam Cluster-II (Kothapalem Revenue Village), Office of the Tahsildar, Renigunta Mandal, Chittoor District constitute offences punishable under section 7 and sub-section (2) of section 13 read-with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

7. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri Thoti Subramanyam, Village Revenue Officer, Ellamandyam Cluster-II (Kothapalem Revenue Village), Office of the Tahsildar, Renigunta Mandal, Chittoor District from Government service, after fully and carefully examining the material i.e., copy of the First Information Report, copies of the Mediators' Reports-I & II, Final Report of the Director General, Anti-Corruption Bureau, and other material placed before them, in respect of the aforesaid allegations and having regard to the facts and circumstances of the case consider that the said Sri Thoti Subramanyam, Village Revenue Officer, Ellamandyam Cluster-II (Kothapalem Revenue Village), Office of the Tahsildar, Renigunta Mandal, Chittoor District should be prosecuted, in a Court of law, for the above said offences;

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8. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Thoti Subramanyam, Village Revenue Officer, Ellamandyam Cluster-II (Kothapalem Revenue Village), Renigunta Mandal, Chittoor District for the above said offences punishable under sections 7, 13(2) read-with section 13(1)(d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law, for the time being in force, in respect of the aforesaid acts and for taking cognizance of the said offences, by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER